

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NEXTEC APPLICATIONS, INC.,  
a Georgia corporation,

Plaintiff,

v.

BROOKWOOD COMPANIES, INC.,  
a Delaware Corporation; and  
THE HALLWOOD GROUP, INC.,  
a Delaware corporation,

Defendants.

ECF Case 07 Civ. 06901 (RJH)

**NOTICE OF MOTION  
TO ADMIT COUNSEL  
JON E. MAKI PRO HAC VICE**

PLEASE TAKE NOTICE that upon the annexed affidavit of movant, Jon E. Maki, in support of this motion and the Certificates of Good Standing annexed thereto, we will move this Court before the Honorable Richard J. Holwell at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of movant, an associate of the firm of Sheppard Mullin Richter & Hampton, LLP and a member in good standing of the Bars of the States of California and Wisconsin, as attorney *pro hac vice* to argue or try this case in whole or in part as counsel.

Dated: September 26, 2007

Respectfully submitted,

SHEPPARD MULLIN RICHTER & HAMPTON LLP

By:   
Jon E. Maki  
12275 El Camino Real, Suite 200  
San Diego, California 92130  
Telephone: (858) 720-8900  
Facsimile: (858) 509-3691  
jmaki@sheppardmullin.com

*Attorneys for plaintiff Nextec Applications, Inc.*

FILED  
U.S. DISTRICT COURT  
S.D. OF N.Y.  
2007 OCT -1 PM 2:42

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**AFFIDAVIT OF JON E. MAKI  
IN SUPPORT OF MOTION TO  
ADMIT COUNSEL *PRO HAC VICE***

State of California            )  
  )       ss:  
County of San Diego         )

Jon E. Maki, being duly sworn, hereby deposes and says as follows:

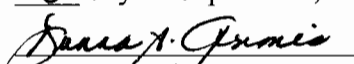
I am associated with the law firm of Sheppard, Mullin, Richter, & Hampton LLP.

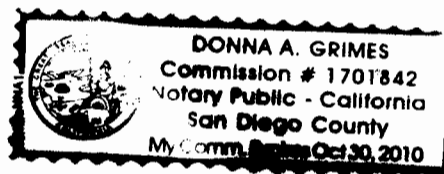
I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above captioned matter.

1. As shown in the Certificates of Good Standing annexed hereto, I am a member in good standing of the Bars of the States of California and Wisconsin.
2. There are no pending disciplinary proceedings against me in any State or Federal court.
3. Wherefore your affiant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in this one case.

Dated: September 26, 2007

  
JON E. MAKI

Sworn to before me on this  
26<sup>th</sup> day of September, 2007  
  
Notary Public



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
NEXTEC APPLICATIONS, INC.,	:
a Georgia corporation,	:
	:
Plaintiff,	:
	:
v.	:
	:
BROOKWOOD COMPANIES, INC.,	:
a Delaware Corporation; and	:
THE HALLWOOD GROUP, INC.,	:
a Delaware corporation,	:
	:
Defendants.	:
-----X	

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**ADMISSION TO PRACTICE**  
**PRO HAC VICE**

The motion for admission to practice *pro hac vice* in the above captioned matter is granted. The admitted attorney, Jon E. Maki, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice *pro hac vice* is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

Dated:

\_\_\_\_\_  
United States District Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**DECLARATION**

KESARI RUZA, declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am associated with the law firm of Sheppard, Mullin, Richter & Hampton, LLP which represents plaintiff Nextec Applications, Inc. in the above-captioned action. I make this declaration in support of the motion, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts, that Jon E. Maki, an attorney admitted to practice law in the States of California and Wisconsin, be admitted *pro hac vice* for limited admission to the Bar of the United States District Court for the Southern District of New York for all purposes with respect to the above referenced proceeding.

2. I believe Mr. Maki to be of good character and I know of no reason why this Court should not grant this motion.

WHEREFORE, it is respectfully requested that the motion seeking the *pro hac vice* admission of Mr. Maki to this Court be granted and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
September 28, 2007

  
KESARI RUZA



THE  
STATE BAR  
OF CALIFORNIA

180 HOWARD STREET  
SAN FRANCISCO, CALIFORNIA 94105-1639  
TELEPHONE (415) 538-2000

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September 5, 2007

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JON E. MAKI, #199958 was admitted to the practice of law in this state by the Supreme Court of California on December 15, 1998; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert  
Custodian of Membership Records



David R. Schanker  
Clerk

# WISCONSIN SUPREME COURT

## OFFICE OF THE CLERK

110 E. Main Street, Suite 215  
P.O. Box 1688  
Madison, WI 53701-1688

Telephone: 608-266-1880  
TTY: 800-947-3529  
Fax: 608-267-0640  
<http://www.wicourts.gov>

### CERTIFICATE OF GOOD STANDING

*I, Christopher J. Paulsen, Chief Deputy Clerk of the Supreme Court of Wisconsin  
certify that the records of this office show that:*

**JON E. MAKI**

*was admitted to practice as an attorney within this state on January 26, 1999 and  
is presently in good standing in this court.*

Dated: August 31, 2007

A handwritten signature in cursive script that reads "Christopher J. Paulsen".  
CHRISTOPHER J. PAULSEN  
Chief Deputy Clerk of Supreme Court

UNITED STATES DISTRICT COURT  
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**CERTIFICATE OF SERVICE**

I KESARI RUZA, an attorney admitted to practice law in the Courts of the State of New York, a person over 18 years of age, and not a party to this action affirms the following under penalties of perjury. On September 28, 2007 I caused true and correct copies of NOTICE OF MOTION TO ADMIT COUNSEL AMAR L. THAKUR PRO HAC VICE; NOTICE OF MOTION TO ADMIT COUNSEL JON E. MAKI PRO HAC VICE AND NOTICE OF MOTION TO ADMIT COUNSEL MICHAEL MURPHY PRO HAC VICE to be served via mail upon the following :

Harry Laxton, Jr., Esq.  
HUNTON & WILLIAMS LLP  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, Virginia 23219-4074  
Attorneys for Defendant  
The Hallwood Group, Inc.

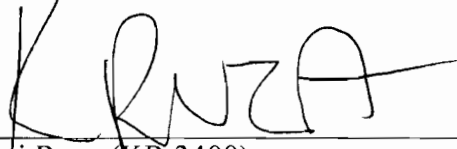
Thomas J. Parker, Esq.  
ALSTON & BIRD LLP  
90 Park Avenue  
New York, New York 10016-1387  
Attorneys for Defendant  
Brookwood Companies, Inc.

Dated: New York, New York  
September 28, 2007

Respectfully submitted,

SHEPPARD MULLIN RICHTER & HAMPTON LLP

By:

  
\_\_\_\_\_  
Kesari Ruza (KR 3400)

30 Rockefeller Plaza, Suite 2400  
New York, New York 10112  
(212) 332-3800 (phone)  
(212) 332-3888 (fax)

*Attorneys for Plaintiff*  
*NEXTEC APPLICATIONS, INC.*